GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services-Revenue Department-Allegation of corruption against Sri Syed Asmath Pasha, U.D.Revenue Inspector, O/o Mandal Revenue Officer, Padmananbham Mandal Visakhapatnam District -Trapped on 02-08-2003-Prosecution- Special Judge for A.C.B cases Visakhapatnam in its orders dated 31.12.2013 in CC 8/2005 Acquitted the A.O- Regularization of suspension period period from 03.08.2003 to 31.12.2005 and to release of pension – Orders – Issued.

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REVENUE (VIGILANCE.III.2) DEPARTMENT

G.O.RT.No. 719 **Dated:11.08.2015**

Read the following:-

1) Representation of Syed Aliya legal w/o late Sri Syed Asmath Pasha MRI dated 29.04.2015 along with the Judgment of of Special Judge for A.C.B cases Visakhapatnam in CC No 8/2005 dated 31.12.2013
2) From the District Collector Visakhapatnam Lr. No 552/2015/A2 dt. 18.02.2015
3) Govt. Memo No 15462/Vig.III.2/2015 dated 18.06.2015.
4) From the D.G., A.C.B., Lr. No 169/RCT-WVP/2003 dated 29.06.2015

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ORDER:

Whereas, the Director General, Anti Corruption Bureau has informed that Sri P.Dharmachandra Reddy, Mandal Revenue Officer, Padmanabham Mandal and Sri Syed Asmath Pasha, Spl. UDRI, O/o. MRO, Padmanabham were trapped on 2-8-2003 when they demanded and accepted a bribe amount of Rs. 5,000/- from the complainant Sri S.Satyanarayan Reddy, for doing official favour. The DG, ACB, has recommended for Prosecution of both the Accused Officers in a Court of Law as allegations leveled against them were proved.

2. Government after examination of the matter have issued prosecution sanction orders to the D.G., A.C.B., to prosecute Sri Syed Asmath Pasha, Spl. UDRI, O/o. MRO, Padmanabham in the court of Law vide G.O Ms No. 943 Rev (Vig.II) Dept. Dated 22.11.2004, simultaneously orders were issued dropping of prosecution aganist Sri P.Dharmachandra Reddy, Mandal Revenue Officer, Padmanabham Mandal vide G.O Rt. No 1637 Rev (Vig.II) Dept., dated 12.10.2004.

3. In the reference 1st read above, Smt. Syed Aliya legal w/o late Sri Syed Asmath Pasha MRI made representation to the Government stating that here husband was expired and requested to release the pensionary benefits to her. She has submitted the following documents for taking necessary action.

1) Judgment of Special Judge for A.C.B cases Visakhapatnam in CC No 8/2005 dated 31.12.2013
2) Death certificate of Sri Syed Asmath Pasha
3) legal hire certificate of issued by Tahsildar Bheemunipatnam
4) Report of collector Visakhapatnam dated 18.02.2015

4. In the reference 2nd read above, the Dist. Collector Visakhapatnam while sending the representation of Smt. Syed Aliya legal w/o late Sri Syed Asmath Pasha MRI has requested the Government to regularize the suspension period from 03.08.2003 to 31.12.2005 (date of retirement) and also requested for necessary permission to process the pensionary benefits of the Employee since the ACB case filed against the Govt. Employee was disposed by the ACB Court Visakhapatnam on 31.12.2013.

(P.T.O)

5. In the reference 3rd read above, Government while sending the representation of Smt. Syed Aliya legal w/o late Sri Syed Asmath Pasha MRI along the orders of A.C.B cases Visakhapatnam dated 31.12.2013 in CC 8/2005 has requested the D.G., A.C.B., to offer his remarks. In the reference 4th read above, the D.G., A.C.B., has stated that there are no grounds to prefer an appeal against acquittal orders of the trail court.

6. The Special Judge for A.C.B cases Visakhapatnam in its orders dated 31.12.2013 in CC 8/2005 among other has ordered as follows:

> "Having regard to the totality of the facts and circumstances and the ingredients of section 12 and section 13 (1) (d) of Prevention of corruption Act and the evidence let in by the prosecution, I am of the considered view that it is a fit case to acquit the accused by giving the benefit of doubt. Hence, I hold that the prosecution has miserably failed to prove the charge under section 13 (1) (d) read with 13(2) and section (12) of Prevention of corruption Act as such the accused is liable to be acquitted by giving benefit of doubt".

7. Government after careful examination of the matter have observed that the Special Judge for A.C.B cases Visakhapatnam in its orders dated 31.12.2013 in CC 8/2005 has acquitted Sri Syed Asmath Pasha MRI by giving benefit of doubt, the suspension cannot be treated as wholly unjustified. Hence, it has been decided to regularize the suspension period from 03.08.2003 to 31.12.2005 as **'NOT ON DUTY'** as per **FR 54-B(7)/54-A(2)(ii).** Accordingly, Government hereby order to regularize the suspension period from 03.08.2003 to 31.12.2005 as **'NOT ON DUTY'** as per **FR 54-B(7)/54-A(2)(ii).**

8. The Chief Commissioner of Land Administration, AP, Hyderabad/ The District Collector Visakhapatnam is requested to take necessary action to release pension and pensionary benefits of the deceased to the legal heirs.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Legal Hires of Sri Syed Asmath Pasha, U.D.Revenue Inspector, O/o Mandal Revenue Officer, Padmananbham Mandal Visakhapatnam District now expired **through** District Collector Visakhapatnam.
The Collector & District Magistrate, visakhapatnam (with a request to serve the G.O. on the individual and send the served copy with dated signature to the Government for record)
The Chief Commissioner of Land Administration, A.P, Hyderabad.

Copy to:-
The Director General, Anti-Corruption Bureau, A.P. Hyderabad.
The Secretary to Vigilance Commissioner A.P., Secretariat, Hyderabad.
The file

// FORWARDED BY ORDER //

SECTION OFFICER